

## **Appropriation: Range Improvements**

### **APPROPRIATION LANGUAGE SHEET**

[For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses] (*Department of the Interior and Related Agencies Appropriations Act, 2005*).

### Appropriation Language Citations

[For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the *Federal Land Policy and Management Act of 1976* (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: Provided, that not to exceed \$600,000 shall be available for administrative expenses.]

43 U.S.C. 1751  
43 U.S.C. 1901  
7 U.S.C. 1010  
E.O. 10046; 10175; 10234; 10322; 10787; 10890  
30 U.S.C. 355  
7 U.S.C. 2814  
P.L. 106-291

**Proposed Deletion:** The budget proposes to eliminate the Range Improvements Fund in 2006. Beginning in 2006, the budget proposes to fund range improvement projects with discretionary funding provided through BLM's deferred maintenance program and Cooperative Conservation program.

**Section 401 of FLPMA (43 U.S.C. 1751), as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1905),** provides that 50 percent of all moneys received by the U.S. as fees for grazing domestic livestock on public land under the *Taylor Grazing Act* (43 U.S.C. 315) and the *Act of August 28, 1937* (43 U.S.C. 1181d) shall be credited to a separate account in the Treasury and made available for the purpose of on-the-ground range rehabilitation, protection, and improvements, including, but not limited to, seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

**7 U.S.C. 1010 (the Bankhead Jones Farm Tenant Act of 1937),** provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health, safety, and welfare; but not to build industrial parks or establish private industrial or commercial enterprises.

**Executive Orders 10046, et al.,** provide that land under the jurisdiction of the Secretary of Agriculture under the provision of §32 of the *Bankhead Jones Farm Tenant Act* is transferred from the Department of Agriculture to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**30 U.S.C. 355**, provides that all mineral leasing receipts derived from leases issued under the authority of the *Mineral Leasing Act for Acquired Lands of 1947* shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease. The intention is that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands.

**Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)**, provides for the designation of a lead office and person trained in the management of undesirable plants; establishes and funds an undesirable plant management program; completes and implements cooperative agreements with State agencies; and establishes integrated management systems to control undesirable plant species.

**The Annual Department of the Interior and Related Agencies Appropriations Acts**, provide that a minimum amount is appropriated, that the appropriation shall remain available until expended, and that a maximum of \$600,000 is available from this appropriation for BLM administrative expenses.

Under the provisions of the **Balanced Budget and Emergency Deficit Control Act of 1985 and the Budget Enforcement Act of 1990**, this account is classified as a current, mandatory account.

**P.L. 107-63 Department of the Interior and Related Agencies Appropriation Act of 2002.**

## **AUTHORIZATIONS**

***The Federal Land Policy and Management Act of 1976, as amended, (43 U.S.C. 1751)***

Provides that 50 percent of grazing fees are authorized to be appropriated for range betterment. Half the appropriated amount is to be spent within the same BLM district which generated the grazing receipts; the remaining half may be utilized as the Secretary directs.

***The Mineral Leasing Act for Acquired Lands of 1947 (30 U.S.C. 355)***

Provides that "all receipts derived from leases issued under the authority of this chapter shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intent of this provision being that this chapter shall not affect the distribution of receipts pursuant to legislation applicable to such lands . . ."

***The Taylor Grazing Act of 1934, as amended, (43 U.S.C. 315)***

Provides for active management of public rangelands including regulation of livestock grazing and improvement of the productive capability of the public range.

***The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901- 1905)***

Provides for improving the condition of the public rangelands and provides authorization for an appropriation of \$10,000,000 per annum or 50 per centum of all moneys received as fees for grazing, whichever is greater, notwithstanding the level of grazing fees collected.

***The Farm Tenant Act of 1937 (Bankhead Jones Act) (7 U.S.C. 1010, 1012-1013A)***

Provides for management of acquired farm tenant lands and construction and maintenance of range improvements.

***Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)***

Provides for the designation of a lead office and person trained in the management of undesirable plants; establish and fund an undesirable plant management program; complete and implement cooperative agreements with State agencies; and establish integrated management systems to control undesirable plant species; provides for the designation of a lead office and person trained in the management of undesirable plants; establish and fund an undesirable plant management program; complete and implement cooperative agreements with State agencies; and establish integrated management systems to control undesirable plant species.

***Executive Order No. 12548***

Provides for establishment of appropriate fees for the grazing of domestic livestock on public rangelands. It also provides that the fee shall not be less than \$1.35 per animal unit month.

**SUMMARY OF REQUIREMENTS (\$000)**

Comparison by Activity/ Subactivity	2004 Actual		2005 Enacted		Uncontrollable & Related Changes (+/-)		Program Changes (+/-)		2006 Budget Request		Inc(+) Dec(-) from 2005	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Range Improvements</b>	<b>62</b>	<b>10,000</b>	<b>62</b>	<b>10,000</b>	<b>0</b>	<b>0</b>	<b>-50</b>	<b>-10,000</b>	<b>12</b>	<b>0</b>	<b>-50</b>	<b>-10,000</b>
Public Lands Improvement	56	7,873	56	7,873	0	0	-46	-7,873	10	0	-46	-7,873
Farm Tenant Act Lands Improvement	6	1,527	6	1,527	0	0	-4	-1,527	2	0	-4	-1,527
Administrative Expenses	0	600	0	600	0	0	0	-600	0	0	0	-600

## Activity: Range Improvements

### Subactivity: Range Improvements

#### ACTIVITY SUMMARY (\$000)

Subactivity	2004 Actual Amount	2005 Enacted Amount	Uncontrollable & Related Changes  (+/-) Amount	Program Changes  (+/-) Amount	2006 Budget Request Amount	Inc(+) Dec(-) from 2005 Amount
Public Lands Improvement \$ FTE	8,376 56	7,971 56	0 0	-7,971 -46	0 10	-7,971 -46
Farm Tenant Act Lands Improvement \$ FTE	1,624 6	2,029 6	0 0	-2,029 -4	0 2	-2,029 -4
Administrative Expenses \$ FTE	0 0	0 0	0 0	0 0	0 0	0 0
Total Dollars \$ FTE	10,000 62	10,000 62	0 0	-10,000 -50	0 12	-10,000 -50

#### PROGRAM OVERVIEW

The budget proposes to eliminate the Rangeland Improvements Fund in 2006. The Administration will submit legislation to amend Federal Land Policy Management Act to direct that the 50 percent of grazing fees currently deposited in the Range Improvement fund, i.e., the Federal share of such receipts, be deposited in the General fund of Treasury for deficit reduction.

In 2006 the BLM will utilize \$3.0 million in the MLR Cooperative Conservation Initiative and \$7.0 million in the Deferred Maintenance program to fund range improvements. CCI, a new activity in 2003, encourages more citizen participation in the stewardship of natural resources by undertaking projects at the local level. The flexibility of the CCI fund allows for spending in all programs, including rangeland management, depending on the merits of project proposals and resource benefits derived.

Anticipated carryover of 2005 funds is expected to cover 12 FTE during the completion of several projects initiated in 2005.

## **2004 PROGRAM PERFORMANCE ACCOMPLISHMENTS**

In 2004, The BLM placed funding emphasis on high quality - high return projects that created a win-win situation for the BLM, ranchers, and public land users. The following projects highlight the achievement for rangeland improvement funding:

- Grassland/shrubland treatments:
  - 14,302 acres treated.
- Grassland/shrubland projects:
  - 527 projects constructed.
  - 1,312 projects maintained.
- Riparian/wetland/stream projects:
  - 31 projects constructed.
  - 252 projects maintained.
  - 500 acres treated.
- Invasive species (weeds):
  - 13,100 acres inventoried.
  - 11,305 acres treated.
  - 4,607 acres evaluated.
- Roads constructed/maintained:
  - 2 miles.

The following example shows how one office leverages range improvement funding:

BLM's Cody Field Office range improvement expenditures:				
Project Type	Project Description	BLM Amount	Cooperator contribution	Value of the Investment
Water	5 spring developments with water source protection fences, and 3 riparian management fences (2 miles).	\$26,500	\$7,000	1) Provided for 70 acres of riparian habitat protection and improved habitat for wildlife, i.e., sage grouse and other sagebrush obligate species. 2) Initiated the process to improve rangeland health for failed land health standards on 40,000 acres of public lands. 3) Funding aided in the implementation of a rotational grazing strategies for improved livestock distribution. 4) Insured that critical habitat requirements for sagebrush obligate species were being met in a crucial winter range, i.e., mule deer, elk and bighorn sheep.
Fence	4 livestock grazing management fences (12 miles).	\$22,000	\$20,000	1) Projects were designed and built to improve rangeland health on 73,000 acres of public land for both riparian and upland sites by implementing a livestock rotation system. 2) Better distribution of livestock will benefit mule deer, antelope and other sagebrush obligate species by decreasing forage use, and providing ample plant recovery time for watershed improvement.
Water	6 pipeline maintenance projects (install 1000' of new line and reconstruct 4 miles of existing line).	\$4,500	\$1,000	1) Provides for improved livestock distribution and assisted in the implementation of rotational grazing strategies on 35,000 acres of public lands. 2) Allows for improvement of rangeland health for both riparian and upland sites, and improvement of wildlife habitat.

In 2004, the BLM also place an additional emphasis on wildlife escape ramps on all developed water systems.

### 2005 PROGRAM PERFORMANCE ESTIMATES

The Rangeland Improvement program was developed to improve management of public lands in a manner that will protect, enhance, or rehabilitate the condition and productivity of the renewable resources occurring there. This program crosscuts all renewable resource subactivities and can be used for a wide-range of on-the-ground projects.

In 2005 the BLM will focus funding on maintaining existing water developments to ensure they possess functioning wildlife escape devices, invasive species control and management, and reducing the backlog of projects including projects identified during the Land Health Assessment activities.

Projected targets across public lands in the Western U.S during 2005 include (approximately): 50,000 acres of vegetation treatments; 400 new range improvement projects; maintenance of 200 existing projects; treatment of 4,000 acres of invasive species; 10 new wetland/riparian projects; and maintenance of 170 wetland/riparian projects. Many of the projects listed above will be conducted in sage-grouse/sagebrush habitat areas.



**JUSTIFICATION OF 2006 PROGRAM CHANGES****2006 PROGRAM CHANGES**

	2006 Budget Request	Program Changes (+/-)
\$(000)	0	-10,000
FTE	12	-50

The 2006 budget request for the Rangeland Improvement Program is \$0 and 12 FTE, a program change of -\$10,000,000 million and -50 FTE from the 2005 level.

**Range Improvements, (-\$10,000,000)** – The \$10,000,000 appropriated in this account annually will be used to offset other increases within BLM's operating programs. Based on priority needs, BLM will direct discretionary funding to address the highest priority range improvement projects. The budget estimates that \$3.0 million in cooperative conservation funds and \$7.0 million in deferred maintenance funds will be used for these purposes.

Full-time staff funded from this account would hereafter be funded from the Rangeland Management Program, other benefiting subactivities within the MLR account, and the proposed project.

<b>End Outcome Goal: Sustain biological communities on DOI managed and influenced lands and waters in a manner consistent with obligations regarding the allotment and use of water.</b>							
<b>End Outcome Measures:</b>	2003 Actual	2004 Actual	2005 Planned: Budget Justifications	2005 Planned: Revised Final	2006 Planned	Change in Performance (2004 : 2005)	2009 Long Term Target
Invasive Species - Percent change from baseline in the number of acres infested with invasive plant species (SP: PEM.2.004)	Establish Baseline	1.0% 316,480/ 35,762,000	Establish Initial Target	Establish Initial Target	Initial Target -0.5%	-0.5%	0
<b>Primary Outputs funded by this subactivity:</b>	2003 Actual	2004 Actual	2005 Planned: Budget Justifications	2005 Planned: Revised Final	2006 Planned	Change in Performance (2004 : 2005)	2009 Long Term Target
Apply Shrub/Grassland Vegetation Treatments (acres).	43,350	14,302	50,000	50,000	10,000	-40000	0
Construct Shrub, Grassland, Woodland, Forest Projects (number).	570	527	400	400	200	-200	0
Maintain Shrub, Grassland, Woodland, Forest Projects (number).	275	1,312	200	200	0	-200	0
Apply Weed Treatments (acres).	3,450	10,084	4,000	4,000	1,000	-3000	0
Construct Lake/Wetland/Stream/Riparian Projects (number).	50	31	10	10	0	-10	0
Maintain Lake/Wetland/Stream/Riparian Projects (number).	190	252	170	170	0	-170	0
Evaluate Weed Treatments (acres).	100	4,607	0	0	0	0	0

**\*Budget Schedules**

## Unavailable Receipts (Million \$)

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	Unavailable Receipts (N)			
0199	Balance, start of year	7	7	7
	Receipts			
0220	Grazing fees for range improvements, Taylor Grazing Act, as amen [14-513200-0-R-200403]	7	7	0
0400	Total: Balances and collections	14	14	7
	Appropriations			
0500	Range improvements [14-5132-0-P-6020]	-7	-7	-7
0799	Balance, end of year	7	7	0

## Program and Financing (Million \$)

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	Program and Financing (P)			
	Obligations by program activity			
0001	Improvements to Public Lands	10	8	8
0002	Farm Tenant Act Lands	1	2	2
1000	Total new obligations	11	10	10
	Budgetary resources available for obligation			
2140	Unobligated balance carried forward, start of year	6	5	5
2200	New budget authority (gross)	10	10	10
2390	Total budgetary resources available for obligation	16	15	15
2395	Total new obligations	-11	-10	-10
2440	Unobligated balance carried forward, end of year	5	5	5
	New budget authority (gross), detail			
	Mandatory			
6000	Appropriation	3	3	3
6020	Appropriation (special fund) [14-5132]	7	7	7
6250	Appropriation (total mandatory)	10	10	10
	Change in obligated balances			
7240	Obligated balance, start of year	2	3	3
7310	Total new obligations	11	10	10
7320	Total outlays (gross)	-10	-10	-10
7440	Obligated balance, end of year	3	3	3
	Outlays (gross), detail			
8697	Outlays from new mandatory authority	7	7	7
8698	Outlays from mandatory balances	3	3	3
8700	Total outlays (gross)	10	10	10
	Net budget authority and outlays			
8900	Budget authority	10	10	10
9000	Outlays	10	10	10

**Object Classification (Million \$)**

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	Object Classification (O)			
	Direct obligations			
1111	Full-time permanent	4	4	4
1121	Civilian personnel benefits	1	1	1
1252	Other services	3	2	2
1260	Supplies and materials	2	2	2
1320	Land and structures	1	1	1
9999	Total new obligations	11	10	10

**Schedule A: Policy (Million \$)**

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	BA, Limitations, and Outlays - Policy (A)			
	Appropriation (total) [Indefinite]			
6250	Mandatory, appropriations committee, regular	3	3	3
	Appropriation (total) [Special Fund, Indefinite]			
6250	Mandatory, appropriations committee, regular	7	7	7
	Outlays from new authority [Text]			
9111	Mandatory, appropriations committee, regular	0	2	2
9111	Mandatory, appropriations committee, regular	7	5	5
9121	Mandatory, appropriations committee, regular	3	3	1
9121	Mandatory, appropriations committee, regular	0	0	2
9122	Mandatory, appropriations committee, regular	0	3	0
9122	Mandatory, appropriations committee, regular	0	0	0

**Schedule S: Baseline (Million \$)**

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	BA, Limitations, and Outlays - Baseline (S)			
	Appropriation (total) [Indefinite]			
	Mandatory, appropriations committee, regular			
6250	Civilian Pay	0	3	3
	Appropriation (total) [Text]			
6250	Non-Pay	0	7	7
	Outlays from new authority [Text]			
9111	Mandatory, appropriations committee, regular	0	2	2
9111	Mandatory, appropriations committee, regular	0	5	5
9121	Mandatory, appropriations committee, regular	0	3	1
9121	Mandatory, appropriations committee, regular	0	0	2
9122	Mandatory, appropriations committee, regular	0	3	0

**Personnel Summary (FTEs)**

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	Personnel Summary (Q)			
	Direct			
1001	Civilian full-time equivalent employment	62	62	62

**Budget Schedules – Legislative Proposal**

Program and Financing (Million \$)

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	Program and Financing (P)			
	Obligations by program activity			
0001	Improvements to Public Lands	0	0	(4)
0002	Farm Tenement Act Lands	0	0	(1)
1000	Total new obligations	0	0	(5)
	Budgetary resources available for obligation			
2140	Unobligated balance carried forward, start of year	0	0	0
2200	New budget authority (gross)	0	0	(10)
2390	Total budgetary resources available for obligation	0	0	(10)
2395	Total new obligations	0	0	5
2440	Unobligated balance carried forward, end of year	0	0	(5)
	New budget authority (gross), detail			
	Mandatory			
6000	Appropriation	0	0	(3)
6020	Appropriation (special fund) [14-5132-0-N-0500]	0	0	(7)
6250	Appropriation (total mandatory)	0	0	(10)
	Change in obligated balances			
7240	Obligated balance, start of year	0	0	0
7310	Total new obligations	0	0	(5)
7320	Total outlays (gross)	0	0	7
7440	Obligated balance, end of year	0	0	2
	Outlays (gross), detail			
8697	Outlays from new mandatory authority	0	0	(7)
	Net budget authority and outlays			
8900	Budget authority	0	0	(10)
9000	Outlays	0	0	(7)

**Object Classification (Million \$)**

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	Object Classification (O)			
	Direct obligations			
1111	Full-time permanent	0	0	(3)
1252	Other services	0	0	(1)
1260	Supplies and materials	0	0	(1)
9999	Total new obligations	0	0	(5)

**Schedule A: Policy (Million \$)**

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	BA, Limitations, and Outlays - Policy (A)			
	Appropriation (total) [Indefinite]			
6250	Mandatory, authorizing committee, regular	0	0	(3)
	Appropriation (total) [Special Fund, Indefinite]			
6250	Mandatory, authorizing committee, regular	0	0	(7)
	Outlays from new authority [Text]			
9111	Mandatory, authorizing committee, regular	0	0	(2)
	Outlays from new authority [Text]			
9111	Mandatory, authorizing committee, regular	0	0	(5)
	Outlays from balances [Text]			
9121	Mandatory, authorizing committee, regular	0	0	0
	Outlays from balances [Text]			
9121	Mandatory, authorizing committee, regular	0	0	0

**Personnel Summary (FTEs)**

Identification code: 14-513200-0-R-200403		2004 Act	2005 CY	2006 BY
	Personnel Summary (Q)			
	Direct			
1001	Civilian full-time equivalent employment	0	0	(50)